

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

AZIZ FORTUNE	:	CIVIL ACTION
	:	
v.	:	
	:	
LOUIS GIORLA ET AL.	:	NO. 11-615

ORDER

AND NOW, this 21st day of December, 2011, upon consideration of Defendants' Motion for Summary Judgment (Docket No. 16), and Plaintiff's response thereto, **IT IS HEREBY ORDERED** that Defendants' Motion is **GRANTED IN PART** and **DENIED IN PART** as follows:

1. The Motion is **GRANTED** as to Plaintiff's claim arising out of the conditions of his confinement and **JUDGMENT IS ENTERED** in favor of Giorla and Delaney and against Plaintiff as to that count.
2. Giorla and Delaney are **DISMISSED** as Defendants in this action.
3. The Motion is **DENIED** as to Plaintiff's claim arising out of his alleged assault by Sergeant Knight.

BY THE COURT:

/s/ John R. Padova

John R. Padova, J.